

## Declaration for Patent Application and Power of Attorney

As a below named inventor, I hereby declare that my residence, post office address, and citizenship are as stated below next to my name, and that I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention described in the attached specification entitled **Phenoscope and Phenobase**.

First or Sole Inventor:	Full name:	STEPHEN J. BROWN	Citizenship:	U.S.A.
	Residence:	1525 Nadina Street, San Mateo, CA 94402		
	Postal Address:	same as above		

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a). I claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

### PRIOR FOREIGN APPLICATION(S)

Country	Application Number	Date of Filing	Priority Claimed Under 35 U.S.C. §119
NONE			<input type="checkbox"/> Yes <input type="checkbox"/> No

I claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

### PRIOR U. S. APPLICATION(S)

Application No.	Filing Date	Status
08/946,341	10/7/97	<input type="checkbox"/> Provisional <input type="checkbox"/> Patented <input checked="" type="checkbox"/> Pending <input type="checkbox"/> Provisional

I hereby appoint Thomas J. McFarlane, Reg. No. 39,299, Marek Alboszta, Reg. No. 39,894, and Mark B. Floyd, Reg. No. 41,022, and Andrei Popovici Reg. No. P-42,401 as my agents with full power of substitution to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith. Direct all correspondence to:

**Mark B. Floyd**  
426 Lowell Avenue  
Palo Alto, CA 94301-3813  
Telephone: 650-321-6630  
Fax: 650-321-1621.

The attorney docket number for this case is: **RYA-136**.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Title 18, §1001 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

### INVENTOR SIGNATURE(S)



STEPHEN J. BROWN

3/13/98  
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

jc530 U.S. PRO  
09/496893  
02/02/00



Applicant: BROWN Attorney Docket No.: HERO-1-1033

Application No.: 09/041,809 Group Art Unit: 1655

Filing Date: March 13 1998 Examiner: Marschel, A.

File: **PHENOSCOPE AND PHENOBASE**

**TRANSMITTAL LETTER**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

A. Transmitted Herewith are the Following:

- 1. Copy of Revocation and Power of Attorney by Assignee (1 pg)
- 2. Copy of Statement under 37 CFR 3.73(b) (1 pg)
- 3. Associate Power of Attorney (1 pg)

B. Additional Fee Charges or Credit for Overpayment

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.18 which may be required during the entire pendency of the application, or credit any overpayment, to Deposit Account No. 501050. This authorization also hereby includes a request for any extensions of time of the appropriate length required upon the filing of any reply during the entire prosecution of this application. *A copy of this letter is enclosed.*

C. Remarks

Pursuant to MPEP § 402, we enclose herewith a copy of the original Power of Attorney which is a Revocation and Power of Attorney with Statement Under 37 CFR 3.73(b) from a commonly assigned patent application.

Respectfully submitted,

BLACK LOWE & GRAHAM<sup>PLLC</sup>



Lawrence D. Graham  
Registration No.: 40,001  
Direct Dial: 206.381.3300

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to attention Examiner: Ardin H. Mrschel, Art Unit 1655, Patent and Trademark Office on the date shown below.

Date: 2/1/00

  
Michelle J. Finston

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: BROWN, Stephen J. Attorney Docket No: HERO-1-1033  
Serial No: 09/041,809 Examiner: Marschel, A.  
Filed: March 13, 1998  
Title: Phenoscope and Phenobase

ASSOCIATE POWER OF ATTORNEY

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Pursuant to 37 C.F.R. §1.34 I, Lawrence D. Graham, as attorney of record, hereby appoint Michael S. Smith, Registration No. 39,563 of Black Lowe & Graham<sup>PLLC</sup> with full power to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and to receive the Letters Patent.

Please address all further correspondence relating to this application to:

BLACK LOWE & GRAHAM<sup>PLLC</sup>  
Lawrence D. Graham  
816 Second Avenue, 3<sup>rd</sup> Floor  
Seattle, Washington 98104  
Telephone: (206) 381-3300  
Facsimile: (206) 381-3301  
Email: graham@blacklaw.com

Respectfully submitted,

  
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Lawrence D. Graham, Reg. No. 40,001

Date: February 1, 2000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: BROWN, Stephen J. Attorney Docket No. HERO-1-1039  
Serial No: 08/975,774 Group Art Unit: 2761  
Filed: November 21, 1997 Examiner: DIXON, T.  
Title: MULTI-USER REMOTE HEALTH MONITORING SYSTEM

REVOCATION AND POWER OF ATTORNEY

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Applicant Stephen J. Brown appoints the firm of Black Lowe & Graham<sup>LLC</sup> and Richard T. Black, Washington State Bar No. 20,899 and PTO Reg. No. 40,514; David A. Lowe, Washington State Bar No. 24,453 and PTO Reg. No. 39,281; Lawrence D. Graham, Washington State Bar No. 25,402 and PTO Reg. No. 40,001; and Paul Richard Brown Washington State Bar No. 19,357, members of the firm, as its attorneys with full power of substitution and revocation to prosecute this application, to transact all related business in the Patent and Trademark Office or the Courts, to rectify any act done by the last-named appointee in respect of the said application, and to receive the patent granted thereon. This appointment simultaneously revokes all previous powers of attorney.

Address all communications to:

Richard T. Black, Esq.  
Black Lowe & Graham<sup>LLC</sup>  
816 Second Avenue  
Seattle, Washington 98104  
Direct Dial: 206.381.3300  
Facsimile: 206.381.3301

Date: 1/5/00

  
Name: Stephen J. Brown  
Title: President & CEO  
Health Hero Network, Inc.

The public is authorized to inspect and copy the original of this document as it appears in application serial number 08/975,774.

U.S. DEPARTMENT OF COMMERCE  
STATEMENT UNDER 37 CFR 1.1(b)

U.S. DEPARTMENT OF COMMERCE  
nation unless it displays a valid OMB control number.

Applicant/Patent Owner: HEALTH HERO NETWORK, INC.

Application No./Patent No.: 08/975,774 Filed/Issue Date: November 21, 1997

Entitled: Multi-User Remote Health Monitoring System

Health Hero Network, Inc.

(Name of Assignee)

a Corporation

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- the assignee of the entire right, title, and interest; or
- an assignee of an undivided part interest

In the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel        Frame       , or for which a copy thereof is attached.

OR

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Stephen J. Brown To: Raya Systems, Inc.

The document was recorded in the Patent and Trademark Office at Reel 8835 Frame 0970, or for which a copy thereof is attached.

2. From: Stephen J. Brown To: Health Hero Network  
The document was recorded in the Patent and Trademark Office at Reel 9186 Frame 0519, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_ Frame \_\_\_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

1/5/00

Date



Signature

Stephen J. Brown

Typed or printed name

President & CEO

Title